

IC 3-5-7

Chapter 7. Candidate Designations on the Ballot

IC 3-5-7-1

Applicability of chapter

Sec. 1. This chapter does not apply to the following:

- (1) A candidate for precinct committeeman.
- (2) A candidate for delegate to a political party convention.

As added by P.L.202-1999, SEC.1.

IC 3-5-7-2

"Designation" defined

Sec. 2. As used in this chapter, "designation" refers to a name, a nickname, an initial, an abbreviation, or a number used to identify an individual.

As added by P.L.202-1999, SEC.1.

IC 3-5-7-3

"Name" defined

Sec. 3. As used in this chapter, "name" refers to any of the following:

- (1) An individual's given name.
- (2) An individual's surname.
- (3) An individual's middle name.

As added by P.L.202-1999, SEC.1.

IC 3-5-7-4

Candidate's legal name

Sec. 4. (a) For purposes of placement of a candidate's name on the ballot, a candidate's legal name is determined under this section.

(b) Except as provided in subsection (c), a candidate's legal name is considered to be the name shown on the candidate's birth certificate.

(c) If a candidate:

- (1) uses a name after marriage as described in subsection (d); or
- (2) takes a name through a judicial proceeding that is different from the name shown on the candidate's birth certificate;

the most recent name used after marriage or taken in the judicial proceeding is considered to be the candidate's legal name.

(d) A name a candidate uses after marriage is considered the candidate's legal name if the name satisfies any of the following:

- (1) The name is the name appearing on the candidate's birth certificate.
- (2) The name is the name used by the candidate as an applicant for the marriage license.
- (3) The name is any combination of the names the candidate and the candidate's spouse used as applicants for their marriage license.

As added by P.L.202-1999, SEC.1.

IC 3-5-7-5

Designations used on ballot

Sec. 5. (a) A candidate may use on the ballot any combination of designations permitted by this section.

(b) A candidate may not use on the ballot a designation other than a designation permitted by this section.

(c) Subject to subsections (d) and (e), a candidate may use designations on the ballot as follows:

(1) The first designation that a candidate uses on the ballot may be one (1) of the following:

- (A) The candidate's legal given name.
- (B) The initial of the candidate's legal given name.
- (C) The candidate's legal middle name.
- (D) The initial of the candidate's legal middle name.
- (E) The candidate's nickname.

(2) After the designation used under subdivision (1), a candidate may use any of the following designations if not used under subdivision (1):

- (A) The candidate's legal middle name.
- (B) The initial of the candidate's legal middle name.
- (C) The candidate's nickname.
- (D) The candidate's legal surname.

(3) After a designation used under subdivision (2), a candidate may use the following if not used under subdivision (1) or (2):

- (A) The candidate's nickname.
- (B) The candidate's legal surname.

(4) After a designation used under subdivision (3), a candidate may use the candidate's legal surname on the ballot if not used under subdivision (2) or (3).

(5) After a candidate's legal surname, a candidate may use any of the following designations:

- (A) Sr.
- (B) Jr.
- (C) A numerical designation such as "II" or "III".

(d) A candidate may use a nickname on the ballot only if the nickname satisfies the following:

- (1) The nickname is a name by which the candidate is commonly known.
- (2) The nickname does not exceed twenty (20) characters.
- (3) The nickname complies with subsection (e).
- (4) Unless the candidate uses the nickname as the first designation under subsection (c)(1), the nickname must appear in parentheses.

(e) A candidate may not use a:

- (1) title or degree as a designation; or
- (2) designation that implies a title or degree.

As added by P.L.202-1999, SEC.1.

IC 3-5-7-6

Candidacy documents

Sec. 6. (a) This section does not apply to any of the following:

- (1) A candidate in a presidential primary election under IC 3-8-3.
- (2) A candidate for President of the United States.
- (3) A candidate for Vice President of the United States.

(b) As used in this section, "candidacy document" refers to any of the following:

- (1) A declaration of intent to be a write-in candidate.
- (2) A declaration of candidacy.
- (3) A consent to the nomination.
- (4) A consent to become a candidate.
- (5) A certificate of candidate selection.
- (6) A consent filed under IC 3-13-2-7.
- (7) A statement filed under IC 33-24-2 or IC 33-25-2.

(c) Whenever a candidate files a candidacy document on which the candidate uses a name that is different from the name set forth on the candidate's voter registration record, the candidate's signature on the candidacy document constitutes a request to the county voter registration office that the name on the candidate's voter registration record be the same as the name the candidate uses on the candidacy document.

(d) A request by a candidate under this section is considered filed with the county voter registration office when the candidacy document is filed with the election division or the county election board.

(e) The election division or the county election board shall forward a request filed under this section to the county voter registration office not later than seven (7) days after receiving the request.

As added by P.L.202-1999, SEC.1. Amended by P.L.98-2004, SEC.25.

IC 3-5-7-7

Complaints filed against candidates

Sec. 7. (a) A registered voter of the election district a candidate seeks to represent may file a sworn statement with the election division or a county election board under IC 3-8-1-2 if a candidate uses on the ballot a designation not permitted by section 5 of this chapter.

(b) A complaint filed under this section must contain the following information:

- (1) The legal name of the candidate who has used a designation not permitted by section 5 of this chapter.
- (2) The designation the candidate has used that is not permitted under section 5 of this chapter.

(c) If the commission or county election board finds that the candidate used a designation not permitted by section 5 of this chapter, the candidate is considered to have withdrawn the candidate's candidacy.

As added by P.L.202-1999, SEC.1. Amended by P.L.14-2004, SEC.8.

